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Dated: July 9, 2009 Electronic Signature for Todd W. Wight: /Todd W. Wight/

Docket No.: 101671.0013P
(PATENT)
EFS WEB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jurgen Dorn et al.

Application No.: 10/574,399

Confirmation No.: 9700

Filed: April 3, 2006

Art Unit: 3734

For: RETRIEVAL CATHETER

Examiner: Kevin D. Everage

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is filed in response to the restriction requirement set forth in the Office Action mailed June 9, 2009. This response is filed within one-month of the mailing date of the Office Action and is therefore timely. Applicant hereby provisionally elects Species A for continued examination without traverse.

The drawings stand objected to under 37 C.F.R. § 1.83(a). The Office Action alleges that the “proximal end annulus” must be shown or the feature(s) canceled from the claim(s). However, the proximal end annulus is merely describing a proximal opening/diameter of the thin-walled tube 44 of FIGS. 1-3. Accordingly, Applicants respectfully submit that the claimed feature is shown in the drawings such that a correction is unnecessary.

The Office Action has required election between Species A (FIGS. 1-3) and Species B (FIG. 4). Claims 1, 4, 7-14 and 17-29 are generic. Applicants elect Species A for continued examination

without traverse, and believe that in addition to the generic claims, claim 16 is readable on the elected species.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-2191, under Order No. 101671.0013P from which the undersigned is authorized to draw.

Dated: July 9, 2009

Respectfully submitted,

Electronic signature: /Todd W. Wight/
Todd W. Wight

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